

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

August 8, 2001

DIVISION TWO

B142723 People (Not for Publication)
v.
Gallon

We modify the judgment to reflect presentence custody credits of 175 days, consisting of 117 days of actual time and 58 days of good time/work time. The judgment is affirmed in all other respects. The superior court is directed to prepare an abstract of judgment that reflects the correct number of presentence custody credits as well as the fact that appellant was convicted by jury.

Todd, J.

We concur: Nott, Acting P.J.
 Cooper, J.

B138275 Grismore et al. (Not for Publication)
v.
Murphy et al.

The judgment is affirmed. Costs to respondents.

Todd, J.

We concur: Nott, Acting P.J.
 Cooper, J.

DIVISION THREE

[illegible]

The judgment is affirmed.

Klein, P.J.

We concur: Kitching, J.
 Aldrich, J.

B133269 Brentwood/TMA, Inc. (Not for Publication)
v.
Weider Communications, Inc., et al.

The order denying judgment notwithstanding the verdict is affirmed, the judgment and the order awarding attorney fees are reversed, the matter is remanded, and the superior court is directed to conduct a new trial on the issue of damages only, liability having been established. The parties shall bear their own costs on appeal.

Kitching, J.

We concur: Klein, P.J.
Croskey, J.

DIVISION FOUR

B139762 Gunther (Not for Publication)
v.
MTV Networks et al.

The judgment is reversed. Appellant is awarded his costs on appeal.

Epstein, Acting P.J.

We concur: Hastings, J.
Curry, J.

August 8, 2001-Continued

DIVISION FOUR (Continued)

B141020 Wegricht (Not for Publication)
v.
Underwriters at Lloyd's London

The trial court is directed to vacate its order fixing the referee's fee at \$4,200. In all other respects, the judgment is affirmed.

Epstein, J.

We concur: Vogel (C.S.), P.J.
Hastings, J.

B148477 McClatcher et al. (Not for Publication)
v.
Penn

The order is affirmed.

Epstein, J.

We concur: Vogel (C.S.), P.J.
Curry, J.

B146941 Rosner, Owens & Nunziato, LLP, et al. (Not for Publication)
v.
Superior Court, Los Angeles County
(Megadyne Information Systems, r.p.i.)

Let a peremptory writ of mandate issue directing respondent to vacate its order of December 18, 2000, and to reinstate the judgment for the petitioners. Pursuant to California Rules of Court, rule 56.4, costs are awarded to petitioners.

Vogel (C.S.), P.J.

We concur: Epstein, J.
Hastings, J.

DIVISION FIVE

B142872 People
 v.
 John Harris

Filed order denying petition for rehearing.

B138533 Ibacorp, Inc. (Not for Publication)
B141710 v.
 James Barks

The judgment is reversed. Each party to bear their own costs.

Grignon, Acting P.J.

We concur: Armstrong, J.
 Willhite, J. (Assigned)

B144240 People
 v.
 Michael Thomas

Filed order modifying opinion. (No change in the judgment)

B143281 Farmers and Merchants Bank of Long Beach (Not for Publication)
 v.
 Carl Weissburg et al.

The judgment is reversed. Appellant(s) to recover costs.

Grignon, J.

We concur: Turner, P.J.
 Armstrong, J.

August 8, 2001-Continued

DIVISION FIVE (Continued)

B144132 People (Not for Publication)
v.
Jonathan Osborne

The judgment is affirmed.

Grignon, J.

We concur: Turner, P.J.
Willhite, J. (Assigned)

[illegible]

The judgment is modified to strike the three stay prior prison term enhancements (Pen. Code, 667.5, subd. (b)). In all other respects, the judgment is affirmed.

Grignon, J.

We concur: Turner, P.J.
Willhite, J. (Assigned)

[illegible]

The judgment is affirmed.

Willhite, J. (Assigned)

We concur: Turner, P.J.
 Grignon, J.

August 8, 2001-Continued

DIVISION FIVE (Continued)

B147583 People (Not for Publication)
v.
Darnell Parker

The judgment is affirmed.

Willhite, J. (Assigned)

We concur: Turner, P.J.
 Grignon, J.

DIVISION SIX

Court convened at 9:00 A.M.

Present: Gilbert, P.J., Yegan, J., Coffee, J., Perren, J. and G. Bents, Deputy Clerk.

Each of the following:

B124130 Testan v. Porsche Cars North America, Inc.
B137476 Testan v. Porsche Cars North America, Inc.
B139112 Testan v. Porsche Cars North America, Inc.
B139795 Testan v. Rusnak Pasadena

Argument continued to November, 2001.

B150450 Christine M.
v.
Ventura County Superior Court
(Human Services Agency, r.p.i.)

Extraordinary writ:
Presented by Joseph J. Randazzo, assistant county counsel, for real party in interest. Presentation waived by petitioner. Cause submitted.

DIVISION SIX (Continued)

B150420 Chantel W.
 v.
 Ventura County Superior Court
 (Human Services Agency, r.p.i.)

Extraordinary Writ:

Presented by Chantel W., petitioner in propria persona, and by Joseph J. Randazzo, assistant county counsel, for real party in interest. Cause submitted.

B141931 Lang Ranch Co.
 v.
 Sunset Ridge

Merits:

Argued by Mitchell C. Tilner for appellants and by Karen J. Lee for respondent. Cause submitted.

B145501 Moreland Corp.
 v.
 Bermant Development Co.

Merits:

Argued by Thomas G. Foley for appellant and by Stanley M. Roden for respondents. Appellant's counsel shall serve and file a supplemental letter brief regarding new case citations within 5 days. Counsel for respondent shall serve and file any response 5 days thereafter at which time the matter shall stand submitted.

Gilbert, P.J. left the bench.

DIVISION SIX (Continued)

B143133 Gamlowski
 v.
 Santa Barbara Co. Retirement Board
B145634 Harrison
 v.
 Santa Barbara Co. Retirement Board

Merits:

Justice Perren disclosed that he was an associate and business partner with Mr. Allan Ghitterman between 1976 and 1982 and has had no business contact and only two personal contacts since 1982. Respondent's counsel does not object to Justice Perren's participation in these matters. Argued by Russell R. Ghitterman for appellants and by Alan A. Blakeboro for respondent. Cause submitted.

Court recessed at 11:30 A.M.

Court reconvened at 1:30 P.M.

Present: Gilbert, P.J., Yegan, J., Coffee, J., Perren, J. and G. Bents, Deputy Clerk.

B142935 Marian
 v.
 Gebhart

Merits:

Argued by Teodor Marian for appellant and by Alan D. Condren for respondent. Cause submitted.

B145516 Avila
 v.
 Millan

Merits:

Argued by Kenderton S. Lynch for appellant. Argument previously waived by respondents. Cause submitted.

DIVISION SIX (Continued)

B139339 Patarak
 v.
 Williams

Appearances:

No appearance for appellant. Steven Roberts appeared for respondents.
Argument waived, cause submitted.

B143649 Chiacchiera
 v.
 Miller

Merits:

Argued by David J. Shapiro for appellants and by Robert F. Peterson for respondents. Cause submitted.

B146965 City of Santa Barbara
 v.
 Townsend

Merits:

Argued by Joseph W. Fairfield for appellant and by William M. Carroll for respondent. Cause submitted.

B145349 Jurisic
 v.
 Civil Service Commission
 County of Ventura

Merits:

Argued by Leroy Smith, Assistant County Counsel, for appellant and by Robert Michael Wexler for respondent. Cause submitted.

Gilbert, P.J. left the bench.

DIVISION SIX (Continued)

B140899 Goebel
 v.
 City of Santa Barbara

Merits:
Argued by Joseph Liebman for appellants and by Janet K. McGinnis,
deputy city attorney, for respondents. Cause submitted.

B143020 Gelles
 v.
 Mallon

Merits:
Argued by Jeffrey S. Graff for appellant and by Lawrence Noble for
respondent. Cause submitted.

B143536 Watson
 v.
 Manansala

Merits:
Argued by William Watson, appellant in propria persona, by Debra Garrett,
appellant in propria persona, by Kevin McTague for respondents
Manansala, and by Paul Hesse for respondent Van Conas. Cause
submitted.

B147387 San Luis Obispo County
 v.
 Worker's Compensation Appeals Board
 Barnes, Respondent

Review:
Presented by Ellen Sims Langille for petitioner, William A. Herreras for
respondent Barnes, William W. Koepcke for amicus curiae City of Los
Angeles in support of petitioner, and by Elliot S. Berkowitz for amicus
curiae California Applicants Attorneys' Association in support of
respondent. Cause submitted.

Court adjourned at 4:15 P.M.

August 8, 2001-Continued

DIVISION SIX (Continued)

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Filed order modifying opinion. (No change in the judgment)

DIVISION SEVEN

B148010 Los Angeles County, D.C.F.S.
v.
Bethany P.
In re Seth K., a Person Coming Under the Juvenile Court Law.

Filed order granting motion to dismiss appeal. Appeal (notice of appeal filed February 13, 2001) dismissed.

B145079	Attia v. G.T.E. California
B146505	Attia v. G.T.E. California

Filed order consolidating above captioned appeals.